

11FW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/774,057	
	Filing Date	02/06/2004	
	First Named Inventor	Douglas Reynolds	
	Art Unit	2661	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	19	Attorney Docket Number	1033-LB1013

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s) Replacement Sheets 1, 6	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Copy of Response to Notice to File Missing Parts as filed 07/06/2004
<input type="checkbox"/> Information Disclosure Statement copies of four (4) cited non-patent references	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks  CUSTOMER NO.: 34456	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	TOLER, LARSON & ABEL, LLP		
Signature			
Printed name	Russell W. White		
Date	<i>R. White</i> 2/18/05	Reg. No.	45,691

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Laura H. Andre</i>		
Typed or printed name	Laura H. Andre	Date	02/18/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT APPLICATION

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Douglas Reynolds, et al.

**Title:** SYSTEM AND METHOD FOR BROADCASTING PACKETIZED VOICE MESSAGES

**App. No.:** 10/774,057

**Filed:** 02/06/2004

**Examiner:** Unknown

**Group Art Unit:** 2661

**Atty. Dkt. No.:** 1033-LB1013

**Confirmation No.:** 4820

---

**M/S PETITIONS**

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Dear Sir:

This is a petition under the provisions of 37 CFR 1.181(a) to withdraw holding of abandonment in the above identified application. Applicant contends that the application is not in fact abandoned due to the following:

The Notice of Abandonment dated January 18, 2005 indicates that no reply was received to a Notice of Missing Parts mailed on May 6, 2004. This assertion is incorrect. A response to Notice to File Missing Parts was filed on July 6, 2004. Enclosed is a copy of the Response to Notice to File Missing Parts filed with the USPTO on July 6, 2004. In addition, a copy of the date-stamped postcard corresponding to the Response to Notice to File Missing Parts is also enclosed. Accordingly, Applicant requests the Commissioner to grant this petition to withdraw the holding of abandonment.

This petition is being filed within the two-month period described in 1.181(f).

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on <u>02-18-2005</u> .	
<u>Laura H. Andre</u> Printed Name	<u>[Signature]</u> Signature

While no additional fees are believed necessary, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

If, for any reason, the Office is unable grant this petition to withdraw the holding of abandonment, and believes a telephone interview would be helpful, the Commissioner is respectfully requested to contact the undersigned attorney or agent.

Date

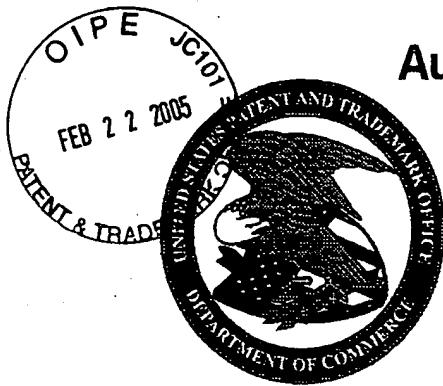
2/18/05

Respectfully submitted,



Russell W. White; Reg. No. 45,691  
Attorney for Applicant(s)  
TOLER, LARSON & ABEL, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)

COPY



## Auto-Reply Facsimile Transmission

TO: Fax Sender at 5123275452

Fax Information

Date Received:

Total Pages:

7/6/2004 6:23:20 PM [Eastern Daylight Time]

13 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====>

07/06/2004 17:24	5123275452	TOLER LARSON & ABEL	PAGE 01/13
<b>■ TOLER ■ LARSON &amp; ABEL<sub>LLP</sub></b>			
<b>FACSIMILE COVER SHEET</b>			
DATE: July 6, 2004			
TO: M/S MISSING PARTS USPTO		FAX NO.: 703-746-4060	
FROM: John R. Schell Reg. No. 50,776			
RE: <b>RESPONSE TO NOTICE TO FILE MISSING PARTS</b>			
U.S. APP NO.: 10/774,057			
FILING DATE: 02/06/2004			
APPLICANT(S): Douglas F. Reynolds, et al.			
ATTY DKT NO.: 1033-LB1013			
TITLE: SYSTEM AND METHOD FOR BROADCASTING PACKETIZED VOICE MESSAGES			
NO. OF PAGES (INCL. COVER SHEET): 13			
<b>MESSAGE:</b>			
Attached please find:			
<input checked="" type="checkbox"/> Response to Notice to File Missing Parts Transmittal Form (1 pgs.)			
<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.)			
<input checked="" type="checkbox"/> Application Data Sheet (3 pgs.)			
<input checked="" type="checkbox"/> Combined Declaration and Power of Attorney, executed (5 pgs.)			
<input checked="" type="checkbox"/> Copy of the Notice to File Missing Parts of Application (2 pgs.)			
<b>CONFIDENTIALITY NOTE</b>			
<small>The pages accompanying this facsimile transmission contain information from the law offices of Toler, Larson &amp; Abel, L.L.P., and are confidential and privileged. The information is intended to be used by the addressee(s) or copy(ies) named on this cover sheet only. If you are not the intended recipient, please notify us immediately if you have received this transmission by error or the number listed above and return the document to us via regular mail.</small>			
<small>5000 Plaza On The Lakes Suite 265 Austin, Texas 78746 Tel: (512) 327-5515 Fax: (512) 327-5452 www.tla-law.com</small>			
<small>PAGE 01/13 RCV'D AT 7/6/04 6:23:20 PM [Eastern Daylight Time] * SVCS/USPTO-ETX/ST-01 * DES:7464060 * CNO:5123275452 * DURATION [mm:ss]00:56</small>			

COPY



## FACSIMILE COVER SHEET

DATE: **July 6, 2004**  
TO: **M/S MISSING PARTS** FAX NO.: **703-746-4060**  
**USPTO**  
FROM: **John R. Schell**  
**Reg. No. 50,776**  
RE: **RESPONSE TO NOTICE TO FILE MISSING PARTS**

---

U.S. APP NO.: **10/774,057**

---

FILING DATE.: **02/06/2004**

---

APPLICANT(S): **Douglas F. Reynolds, et al.**

---

ATTY DKT NO.: **1033-LB1013**

---

TITLE: **SYSTEM AND METHOD FOR BROADCASTING PACKETIZED  
VOICE MESSAGES**

---

NO. OF PAGES (INCL. COVER SHEET): **13**

---

### MESSAGE:

Attached please find:

- ☒ Response to Notice to File Missing Parts Transmittal Form (1 pgs.)
- ☒ Fee Transmittal Form (1 pg.)
- ☒ Application Data Sheet (3 pgs.)
- ☒ Combined Declaration and Power of Attorney, executed (5 pgs.)
- ☒ Copy of the Notice to File Missing Parts of Application (2 pgs.)

### CONFIDENTIALITY NOTE

*The pages accompanying this facsimile transmission contain information from the law office of Toler, Larson & Abel, L.L.P. and are confidential and privileged. The information is intended to be used by the individual(s) or entity(ies) named on this cover sheet only. If you are not the intended recipient be aware that reading disclosing copying distribution or use of the contents of this transmission is prohibited. Please notify us immediately if you have received this transmission in error at the number listed above and return the document to us via regular mail.*



PATENT APPLICATION

**Applicant(s):** Douglas F. Reynolds, et al.

**Title:** SYSTEM AND METHOD FOR BROADCASTING PACKETIZED VOICE MESSAGES

**App. No.:** 10/774,057

**Filed:** February 6, 2004

**Examiner:** Unknown

**Group Art Unit:** 2661

**Atty. Dkt. No.:** 1033-LB1013

**Confirmation No.:** 4820

*copy  
As Filed*

MS MISSING PARTS  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

In response to the Notice to File Missing Parts of Application mailed May 6, 2004, please find enclosed herewith:

- ☒ Transmittal Form (this page);
- ☒ Fee Transmittal Form;
- ☒ Application Data Sheet;
- ☒ Combined Declaration and Power of Attorney, executed; and
- ☒ Copy of the Notice to File Missing Parts of Application.

Respectfully submitted,

John H. Schell, Reg. No. 50,776  
Attorney for Applicant(s)  
TOLER, LARSON & ABEL, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)

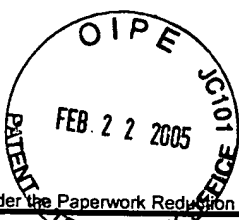
7-6-04  
\_\_\_\_\_  
Date

#### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on July 6, 2004.

Laura H. Andre  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1112.00

### Complete if Known

Application Number	10/774,057
Filing Date	February 6, 2004
First Named Inventor	Douglas F. Reynolds, et al.
Examiner Name	Unknown
Art Unit	2661
Attorney Docket No.	1033-LB1013

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-2469

TOLER LARSON & ABEL LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 770.00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
27		-20** = 7		x 18		= 126	
Independent Claims		4		-3** = 1		x 86	
Multiple Dependent				0		= 0	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ ) 212.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

### SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	John R. Schell	Registration No. (Attorney/Agent)	50,776	Telephone	512-327-5515
Signature		Date	7-6-04		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.